

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CBRE, INC.,

Plaintiff,

-against-

THE PACE GALLERY OF NEW YORK and
THE PACE GALLERY LLC d/b/a PACE
GALLERY,

Defendants.

17-CV-2452 (ALC)(SN)

ORDER

ANDREW L. CARTER, JR., United States District Judge:

A final pre-trial conference took place before the Court on November 22, 2022 and issued the following orders:

- Pace’s motion to limit the expert testimony of CBRE expert Richard Michaels at ECF No. 273 was **DENIED**.
- CBRE’s motion to preclude the expert testimony of Suzy A. Reingold (“Reingold”) at ECF No. 277 was **GRANTED IN PART** and **DENIED IN PART**. Reingold will not be permitted to testify at trial as to the amount of Pace’s estimated damages.
- Pace’s motion in *limine* to exclude evidence of benefit to the principal and for bifurcation at ECF No. 291 was **DENIED**.
- CBRE’s motion in *limine* to limit testimony and argument on resolved issues at ECF No. 293 was **GRANTED IN PART** and **DENIED IN PART**. Plaintiff’s motion was granted to the extent it seeks to preclude evidence that is contrary to issues previously resolved by the Court and evidence which seeks to challenge the validity of the

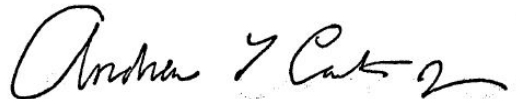
March and November 2014 Agreements. Plaintiff's request for the Court to read a written statement to the jury prior to trial was **DENIED**.

- CBRE's motion in *limine* to limit the use of Defendants' deposition designations at ECF No. 295 was **DENIED**. Defendants shall be able to use deposition designations in accordance with the Federal Rules of Evidence.
- The Court reserved decision on the motion to quash filed by non-party Lisa Siegel at ECF No. 308.

As previously stated on the record, jury selection is set to begin at **9:00 a.m.** on **November 29, 2022**. The remainder of trial will begin at 9:30 a.m. each day.

The Clerk of Court is respectfully requested to terminate the pending motions at ECF No. 273, 277, 291, 293 and 295.

Dated: November 28, 2022
New York, New York



ANDREW L. CARTER, JR.
United States District Judge